



General Assembly

Substitute Bill No. 321

February Session, 2010

* ____SB00321CE____042110____ *

**AN ACT CONCERNING THE STATE'S CONSOLIDATED PLAN FOR
HOUSING AND COMMUNITY DEVELOPMENT.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 8-37t of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2010*):

3 [(a) Not later than January 1, 2000, and every five years thereafter,
4 the Commissioner of Economic and Community Development
5 together with the Connecticut Housing Finance Authority, shall
6 prepare a long-range state housing plan, which shall conform and be
7 subject to the plan of conservation and development for the state
8 adopted by the General Assembly. The plan shall: (1) Contain an
9 assessment of the housing needs of households with incomes less than
10 one hundred per cent of the average area median income, adjusted for
11 family size, analyzed separately for households with incomes (A) less
12 than twenty-five per cent of the area median income, (B) more than
13 twenty-five per cent but not more than fifty per cent of the area
14 median income, (C) more than fifty per cent but not more than eighty
15 per cent of the area median income, and (D) more than eighty per cent
16 but not more than one hundred per cent of the area median income; (2)
17 analyze the households served by the housing construction, substantial
18 rehabilitation, purchase and rental assistance programs, including the
19 number of households served by each program, the total amount of

20 financial assistance provided to such households and the race of
21 households served under such programs; (3) provide information on
22 affirmative fair housing marketing activities and programs and an
23 analysis of occupancy results of affirmative fair housing marketing
24 plans and shall include data on the racial composition of the occupants
25 and persons on the waiting list of each housing project which is
26 assisted under any housing program established by the general
27 statutes or special act or which is supervised by the commissioner or
28 the Connecticut Housing Finance Authority; (4) set specific measurable
29 goals for meeting identified housing needs; (5) outline strategies for
30 meeting those goals; and (6) identify state, federal and private sector
31 resources for affordable housing programs. The provisions of this
32 section shall not be construed to require an occupant or applicant to
33 disclose the race of such occupant or applicant on an application or
34 survey form. The long-range plan shall be updated annually by an
35 action plan that assesses the state's progress toward meeting housing
36 needs contained in the long-range plan and recommends revised
37 strategies, if deemed necessary. In preparing the long-range plan and
38 subsequent action plans, the commissioner shall consult with
39 representatives of those who use or benefit from state housing
40 programs.

41 (b) The Department of Economic and Community Development
42 shall submit the long-range housing plan to the General Assembly not
43 later than January 1, 2000, and each action plan not later than January
44 first of each subsequent year, after receiving public review and
45 comment on the long-range plan and each action plan through written
46 remarks and public hearings. The commencement date of each plan
47 shall be the July first following the submission of the plan.]

48 The Commissioner of Economic and Community Development, in
49 consultation with the Connecticut Housing Finance Authority, shall
50 prepare the state's consolidated plan for housing and community
51 development in accordance with 24 CFR Part 91, as amended from
52 time to time.

53 Sec. 2. Subsection (a) of section 8-2 of the general statutes is repealed
54 and the following is substituted in lieu thereof (*Effective October 1,*
55 *2010*):

56 (a) The zoning commission of each city, town or borough is
57 authorized to regulate, within the limits of such municipality, the
58 height, number of stories and size of buildings and other structures;
59 the percentage of the area of the lot that may be occupied; the size of
60 yards, courts and other open spaces; the density of population and the
61 location and use of buildings, structures and land for trade, industry,
62 residence or other purposes, including water-dependent uses as
63 defined in section 22a-93, and the height, size and location of
64 advertising signs and billboards. Such bulk regulations may allow for
65 cluster development as defined in section 8-18. Such zoning
66 commission may divide the municipality into districts of such number,
67 shape and area as may be best suited to carry out the purposes of this
68 chapter; and, within such districts, it may regulate the erection,
69 construction, reconstruction, alteration or use of buildings or
70 structures and the use of land. All such regulations shall be uniform
71 for each class or kind of buildings, structures or use of land throughout
72 each district, but the regulations in one district may differ from those
73 in another district, and may provide that certain classes or kinds of
74 buildings, structures or uses of land are permitted only after obtaining
75 a special permit or special exception from a zoning commission,
76 planning commission, combined planning and zoning commission or
77 zoning board of appeals, whichever commission or board the
78 regulations may, notwithstanding any special act to the contrary,
79 designate, subject to standards set forth in the regulations and to
80 conditions necessary to protect the public health, safety, convenience
81 and property values. Such regulations shall be made in accordance
82 with a comprehensive plan and in adopting such regulations the
83 commission shall consider the plan of conservation and development
84 prepared under section 8-23, as amended by this act. Such regulations
85 shall be designed to lessen congestion in the streets; to secure safety
86 from fire, panic, flood and other dangers; to promote health and the

87 general welfare; to provide adequate light and air; to prevent the
88 overcrowding of land; to avoid undue concentration of population and
89 to facilitate the adequate provision for transportation, water, sewerage,
90 schools, parks and other public requirements. Such regulations shall be
91 made with reasonable consideration as to the character of the district
92 and its peculiar suitability for particular uses and with a view to
93 conserving the value of buildings and encouraging the most
94 appropriate use of land throughout such municipality. Such
95 regulations may, to the extent consistent with soil types, terrain,
96 infrastructure capacity and the plan of conservation and development
97 for the community, provide for cluster development, as defined in
98 section 8-18, in residential zones. Such regulations shall also encourage
99 the development of housing opportunities, including opportunities for
100 multifamily dwellings, consistent with soil types, terrain and
101 infrastructure capacity, for all residents of the municipality and the
102 planning region in which the municipality is located, as designated by
103 the Secretary of the Office of Policy and Management under section
104 16a-4a. Such regulations shall also promote housing choice and
105 economic diversity in housing, including housing for both low and
106 moderate income households, and shall encourage the development of
107 housing which will meet the housing needs identified in the [housing
108 plan] state's consolidated plan for housing and community
109 development prepared pursuant to section 8-37t, as amended by this
110 act, and in the housing component and the other components of the
111 state plan of conservation and development prepared pursuant to
112 section 16a-26. Zoning regulations shall be made with reasonable
113 consideration for their impact on agriculture. Zoning regulations may
114 be made with reasonable consideration for the protection of historic
115 factors and shall be made with reasonable consideration for the
116 protection of existing and potential public surface and ground
117 drinking water supplies. On and after July 1, 1985, the regulations shall
118 provide that proper provision be made for soil erosion and sediment
119 control pursuant to section 22a-329. Such regulations may also
120 encourage energy-efficient patterns of development, the use of solar
121 and other renewable forms of energy, and energy conservation. The

122 regulations may also provide for incentives for developers who use
123 passive solar energy techniques, as defined in subsection (b) of section
124 8-25, in planning a residential subdivision development. The
125 incentives may include, but not be limited to, cluster development,
126 higher density development and performance standards for roads,
127 sidewalks and underground facilities in the subdivision. Such
128 regulations may provide for a municipal system for the creation of
129 development rights and the permanent transfer of such development
130 rights, which may include a system for the variance of density limits in
131 connection with any such transfer. Such regulations may also provide
132 for notice requirements in addition to those required by this chapter.
133 Such regulations may provide for conditions on operations to collect
134 spring water or well water, as defined in section 21a-150, including the
135 time, place and manner of such operations. No such regulations shall
136 prohibit the operation of any family day care home or group day care
137 home in a residential zone. Such regulations shall not impose
138 conditions and requirements on manufactured homes having as their
139 narrowest dimension twenty-two feet or more and built in accordance
140 with federal manufactured home construction and safety standards or
141 on lots containing such manufactured homes which are substantially
142 different from conditions and requirements imposed on single-family
143 dwellings and lots containing single-family dwellings. Such
144 regulations shall not impose conditions and requirements on
145 developments to be occupied by manufactured homes having as their
146 narrowest dimension twenty-two feet or more and built in accordance
147 with federal manufactured home construction and safety standards
148 which are substantially different from conditions and requirements
149 imposed on multifamily dwellings, lots containing multifamily
150 dwellings, cluster developments or planned unit developments. Such
151 regulations shall not prohibit the continuance of any nonconforming
152 use, building or structure existing at the time of the adoption of such
153 regulations. Such regulations shall not provide for the termination of
154 any nonconforming use solely as a result of nonuse for a specified
155 period of time without regard to the intent of the property owner to
156 maintain that use. Any city, town or borough which adopts the

157 provisions of this chapter may, by vote of its legislative body, exempt
158 municipal property from the regulations prescribed by the zoning
159 commission of such city, town or borough; but unless it is so voted
160 municipal property shall be subject to such regulations.

161 Sec. 3. Section 8-23 of the 2010 supplement to the general statutes, as
162 amended by section 3 of public act 07-239, section 4 of public act 07-5
163 of the June special session, section 17 of public act 08-182 and section 7
164 of public act 09-230, is repealed and the following is substituted in lieu
165 thereof (*Effective October 1, 2010*):

166 (a) (1) At least once every ten years, the commission shall prepare or
167 amend and shall adopt a plan of conservation and development for the
168 municipality. Following adoption, the commission shall regularly
169 review and maintain such plan. The commission may adopt such
170 geographical, functional or other amendments to the plan or parts of
171 the plan, in accordance with the provisions of this section, as it deems
172 necessary. The commission may, at any time, prepare, amend and
173 adopt plans for the redevelopment and improvement of districts or
174 neighborhoods which, in its judgment, contain special problems or
175 opportunities or show a trend toward lower land values.

176 (2) If a plan is not amended decennially, the chief elected official of
177 the municipality shall submit a letter to the Secretary of the Office of
178 Policy and Management and the Commissioners of Transportation,
179 Environmental Protection and Economic and Community
180 Development that explains why such plan was not amended. A copy
181 of such letter shall be included in each application by the municipality
182 for discretionary state funding submitted to any state agency.

183 (b) On and after the first day of July following the adoption of the
184 state Conservation and Development Policies Plan 2012-2017, in
185 accordance with section 16a-30, a municipality that fails to comply
186 with the requirements of subsection (a) of this section shall be
187 ineligible for discretionary state funding unless such prohibition is
188 expressly waived by the secretary.

189 (c) In the preparation of such plan, the commission may appoint one
190 or more special committees to develop and make recommendations for
191 the plan. The membership of any special committee may include:
192 Residents of the municipality and representatives of local boards
193 dealing with zoning, inland wetlands, conservation, recreation,
194 education, public works, finance, redevelopment, general government
195 and other municipal functions. In performing its duties under this
196 section, the commission or any special committee may accept
197 information from any source or solicit input from any organization or
198 individual. The commission or any special committee may hold public
199 informational meetings or organize other activities to inform residents
200 about the process of preparing the plan.

201 (d) In preparing such plan, the commission or any special
202 committee shall consider the following: (1) The community
203 development action plan of the municipality, if any, (2) the need for
204 affordable housing, (3) the need for protection of existing and potential
205 public surface and ground drinking water supplies, (4) the use of
206 cluster development and other development patterns to the extent
207 consistent with soil types, terrain and infrastructure capacity within
208 the municipality, (5) the state plan of conservation and development
209 adopted pursuant to chapter 297, (6) the regional plan of conservation
210 and development adopted pursuant to section 8-35a, (7) physical,
211 social, economic and governmental conditions and trends, (8) the
212 needs of the municipality including, but not limited to, human
213 resources, education, health, housing, recreation, social services, public
214 utilities, public protection, transportation and circulation and cultural
215 and interpersonal communications, (9) the objectives of energy-
216 efficient patterns of development, the use of solar and other renewable
217 forms of energy and energy conservation, and (10) protection and
218 preservation of agriculture.

219 (e) (1) Such plan of conservation and development shall (A) be a
220 statement of policies, goals and standards for the physical and
221 economic development of the municipality, (B) provide for a system of

222 principal thoroughfares, parkways, bridges, streets, sidewalks,
223 multipurpose trails and other public ways as appropriate, (C) be
224 designed to promote, with the greatest efficiency and economy, the
225 coordinated development of the municipality and the general welfare
226 and prosperity of its people and identify areas where it is feasible and
227 prudent (i) to have compact, transit accessible, pedestrian-oriented
228 mixed use development patterns and land reuse, and (ii) to promote
229 such development patterns and land reuse, (D) recommend the most
230 desirable use of land within the municipality for residential,
231 recreational, commercial, industrial, conservation and other purposes
232 and include a map showing such proposed land uses, (E) recommend
233 the most desirable density of population in the several parts of the
234 municipality, (F) note any inconsistencies with the following growth
235 management principles: (i) Redevelopment and revitalization of
236 commercial centers and areas of mixed land uses with existing or
237 planned physical infrastructure; (ii) expansion of housing
238 opportunities and design choices to accommodate a variety of
239 household types and needs; (iii) concentration of development around
240 transportation nodes and along major transportation corridors to
241 support the viability of transportation options and land reuse; (iv)
242 conservation and restoration of the natural environment, cultural and
243 historical resources and existing farmlands; (v) protection of
244 environmental assets critical to public health and safety; and (vi)
245 integration of planning across all levels of government to address
246 issues on a local, regional and state-wide basis, (G) make provision for
247 the development of housing opportunities, including opportunities for
248 multifamily dwellings, consistent with soil types, terrain and
249 infrastructure capacity, for all residents of the municipality and the
250 planning region in which the municipality is located, as designated by
251 the Secretary of the Office of Policy and Management under section
252 16a-4a, (H) promote housing choice and economic diversity in
253 housing, including housing for both low and moderate income
254 households, and encourage the development of housing which will
255 meet the housing needs identified in the [housing plan] state's
256 consolidated plan for housing and community development prepared

257 pursuant to section 8-37t, as amended by this act, and in the housing
258 component and the other components of the state plan of conservation
259 and development prepared pursuant to chapter 297. In preparing such
260 plan the commission shall consider focusing development and
261 revitalization in areas with existing or planned physical infrastructure.

262 (2) For any municipality that is contiguous to Long Island Sound,
263 such plan shall be (A) consistent with the municipal coastal program
264 requirements of sections 22a-101 to 22a-104, inclusive, (B) made with
265 reasonable consideration for restoration and protection of the
266 ecosystem and habitat of Long Island Sound, and (C) designed to
267 reduce hypoxia, pathogens, toxic contaminants and floatable debris in
268 Long Island Sound.

269 (f) Such plan may show the commission's and any special
270 committee's recommendation for (1) conservation and preservation of
271 traprock and other ridgelines, (2) airports, parks, playgrounds and
272 other public grounds, (3) the general location, relocation and
273 improvement of schools and other public buildings, (4) the general
274 location and extent of public utilities and terminals, whether publicly
275 or privately owned, for water, sewerage, light, power, transit and other
276 purposes, (5) the extent and location of public housing projects, (6)
277 programs for the implementation of the plan, including (A) a schedule,
278 (B) a budget for public capital projects, (C) a program for enactment
279 and enforcement of zoning and subdivision controls, building and
280 housing codes and safety regulations, (D) plans for implementation of
281 affordable housing, (E) plans for open space acquisition and
282 greenways protection and development, and (F) plans for corridor
283 management areas along limited access highways or rail lines,
284 designated under section 16a-27, (7) proposed priority funding areas,
285 and (8) any other recommendations as will, in the commission's or any
286 special committee's judgment, be beneficial to the municipality. The
287 plan may include any necessary and related maps, explanatory
288 material, photographs, charts or other pertinent data and information
289 relative to the past, present and future trends of the municipality.

290 (g) (1) A plan of conservation and development or any part thereof
291 or amendment thereto prepared by the commission or any special
292 committee shall be reviewed, and may be amended, by the
293 commission prior to scheduling at least one public hearing on
294 adoption.

295 (2) At least sixty-five days prior to the public hearing on adoption,
296 the commission shall submit a copy of such plan or part thereof or
297 amendment thereto for review and comment to the legislative body or,
298 in the case of a municipality for which the legislative body of the
299 municipality is a town meeting or representative town meeting, to the
300 board of selectmen. The legislative body or board of selectmen, as the
301 case may be, may hold one or more public hearings on the plan and
302 shall endorse or reject such entire plan or part thereof or amendment
303 and may submit comments and recommended changes to the
304 commission. The commission may render a decision on the plan
305 without the report of such body or board.

306 (3) At least thirty-five days prior to the public hearing on adoption,
307 the commission shall post the plan on the Internet web site of the
308 municipality, if any.

309 (4) At least sixty-five days prior to the public hearing on adoption,
310 the commission shall submit a copy of such plan or part thereof or
311 amendment thereto to the regional planning agency for review and
312 comment. The regional planning agency shall submit an advisory
313 report along with its comments to the commission at or before the
314 hearing. Such comments shall include a finding on the consistency of
315 the plan with (A) the regional plan of conservation and development,
316 adopted under section 8-35a, (B) the state plan of conservation and
317 development, adopted pursuant to chapter 297, and (C) the plans of
318 conservation and development of other municipalities in the area of
319 operation of the regional planning agency. The commission may
320 render a decision on the plan without the report of the regional
321 planning agency.

322 (5) At least thirty-five days prior to the public hearing on adoption,
323 the commission shall file in the office of the town clerk a copy of such
324 plan or part thereof or amendment thereto but, in the case of a district
325 commission, such commission shall file such information in the offices
326 of both the district clerk and the town clerk.

327 (6) The commission shall cause to be published in a newspaper
328 having a general circulation in the municipality, at least twice at
329 intervals of not less than two days, the first not more than fifteen days,
330 or less than ten days, and the last not less than two days prior to the
331 date of each such hearing, notice of the time and place of any such
332 public hearing. Such notice shall make reference to the filing of such
333 draft plan in the office of the town clerk, or both the district clerk and
334 the town clerk, as the case may be.

335 (h) (1) After completion of the public hearing, the commission may
336 revise the plan and may adopt the plan or any part thereof or
337 amendment thereto by a single resolution or may, by successive
338 resolutions, adopt parts of the plan and amendments thereto.

339 (2) Any plan, section of a plan or recommendation in the plan that is
340 not endorsed in the report of the legislative body or, in the case of a
341 municipality for which the legislative body is a town meeting or
342 representative town meeting, by the board of selectmen, of the
343 municipality may only be adopted by the commission by a vote of not
344 less than two-thirds of all the members of the commission.

345 (3) Upon adoption by the commission, any plan or part thereof or
346 amendment thereto shall become effective at a time established by the
347 commission, provided notice thereof shall be published in a
348 newspaper having a general circulation in the municipality prior to
349 such effective date.

350 (4) Not more than thirty days after adoption, any plan or part
351 thereof or amendment thereto shall be posted on the Internet web site
352 of the municipality, if any, and shall be filed in the office of the town

353 clerk, except that, if it is a district plan or amendment, it shall be filed
354 in the offices of both the district and town clerks.

355 (5) Not more than sixty days after adoption of the plan, the
356 commission shall submit a copy of the plan to the Secretary of the
357 Office of Policy and Management and shall include with such copy a
358 description of any inconsistency between the plan adopted by the
359 commission and the state plan of conservation and development and
360 the reasons therefor.

361 (i) Any owner or tenant, or authorized agent of such owner or
362 tenant, of real property or buildings thereon located in the
363 municipality may submit a proposal to the commission requesting a
364 change to the plan of conservation and development. Such proposal
365 shall be submitted in writing and on a form prescribed by the
366 commission. Notwithstanding the provisions of subsection (a) of
367 section 8-7d, the commission shall review and may approve, modify
368 and approve or reject the proposal in accordance with the provisions of
369 subsection (g) of this section.

370 Sec. 4. Subsection (d) of section 8-206 of the general statutes is
371 repealed and the following is substituted in lieu thereof (*Effective*
372 *October 1, 2010*):

373 (d) The Commissioner of Economic and Community Development
374 is authorized to do all things necessary to apply for, qualify for and
375 accept any federal funds made available or allotted under any federal
376 act for any activities which may be pertinent to the purposes of this
377 chapter and chapters 128, 129, 130, 135 and 136 and said commissioner
378 shall administer any such funds allotted to the department in
379 accordance with federal law. The commissioner may enter into
380 contracts with the federal government concerning the use and
381 repayment of such funds under any such federal act, the prosecution
382 of the work under any such contract and the establishment of and
383 disbursement from a separate account in which federal and state funds
384 estimated to be required for plan preparation or other eligible activities

385 under such federal act shall be kept. Said account shall not be a part of
386 the General Fund of the state or any subdivision of the state. Unless
387 otherwise required by federal law or regulation, any federal housing
388 assistance funding made available at the state level shall be allocated in
389 accordance with the [housing plan] state's consolidated plan for
390 housing and community development prepared pursuant to the
391 provisions of section 8-37t, as amended by this act. Such allocation
392 shall, to the maximum extent possible, reflect the types and
393 distribution of housing needs in all parts of the state and the resources
394 required by the department, the Connecticut Housing Finance
395 Authority or other appropriate agencies to meet those needs.

396 Sec. 5. Subsection (c) of section 22a-1b of the general statutes is
397 repealed and the following is substituted in lieu thereof (*Effective*
398 *October 1, 2010*):

399 (c) Each state department, institution or agency responsible for the
400 primary recommendation or initiation of actions which may
401 significantly affect the environment shall in the case of each such
402 proposed action make a detailed written evaluation of its
403 environmental impact before deciding whether to undertake or
404 approve such action. All such environmental impact evaluations shall
405 be detailed statements setting forth the following: (1) A description of
406 the proposed action which shall include, but not be limited to, a
407 description of the purpose and need of the proposed action, and, in the
408 case of a proposed facility, a description of the infrastructure needs of
409 such facility, including, but not limited to, parking, water supply,
410 wastewater treatment and the square footage of the facility; (2) the
411 environmental consequences of the proposed action, including
412 cumulative, direct and indirect effects which might result during and
413 subsequent to the proposed action; (3) any adverse environmental
414 effects which cannot be avoided and irreversible and irretrievable
415 commitments of resources should the proposal be implemented; (4)
416 alternatives to the proposed action, including the alternative of not
417 proceeding with the proposed action and, in the case of a proposed

418 facility, a list of all the sites controlled by or reasonably available to the
419 sponsoring agency that would meet the stated purpose of such facility;
420 (5) an evaluation of the proposed action's consistency and each
421 alternative's consistency with the state plan of conservation and
422 development, an evaluation of each alternative including, to the extent
423 practicable, whether it avoids, minimizes or mitigates environmental
424 impacts, and, where appropriate, a description of detailed mitigation
425 measures proposed to minimize environmental impacts, including, but
426 not limited to, where appropriate, a site plan; (6) an analysis of the
427 short term and long term economic, social and environmental costs
428 and benefits of the proposed action; (7) the effect of the proposed
429 action on the use and conservation of energy resources; and (8) a
430 description of the effects of the proposed action on sacred sites or
431 archaeological sites of state or national importance. In the case of an
432 action which affects existing housing, the evaluation shall also contain
433 a detailed statement analyzing (A) housing consequences of the
434 proposed action, including direct and indirect effects which might
435 result during and subsequent to the proposed action by income group
436 as defined in section 8-37aa and by race, and (B) the consistency of the
437 housing consequences with the [long-range state housing plan adopted
438 under] state's consolidated plan for housing and community
439 development prepared pursuant to section 8-37t, as amended by this
440 act. As used in this section, "sacred sites" and "archaeological sites"
441 shall have the same meaning as in section 10-381.

442 Sec. 6. Section 25-231 of the general statutes is repealed and the
443 following is substituted in lieu thereof (*Effective October 1, 2010*):

444 As used in sections 25-230 to 25-238, inclusive:

445 (1) "Approved river corridor management plan" means a river
446 corridor management plan approved by the commissioner pursuant to
447 section 25-235;

448 (2) "Commissioner" means the Commissioner of Environmental
449 Protection or his agent;

450 (3) "Local drainage basin" means a local drainage basin as
451 referenced on a map entitled "Natural Drainage Basins of Connecticut",
452 published by the Department of Environmental Protection, 1981;

453 (4) "Major state plan" means any of the following: The master
454 transportation plan adopted pursuant to section 13b-15, the plan for
455 development of outdoor recreation adopted pursuant to section 22a-21,
456 the solid waste management plan adopted pursuant to section 22a-211,
457 the state-wide plan for the management of water resources adopted
458 pursuant to section 22a-352, the state-wide environmental plan
459 adopted pursuant to section 22a-8, the historic preservation plan
460 adopted under the National Historic Preservation Act, 16 USC 470 et
461 seq., the state-wide facility and capital plan adopted pursuant to
462 section 4b-23, [the long-range state housing plan adopted] the state's
463 consolidated plan for housing and community development prepared
464 pursuant to section 8-37t, as amended by this act, the water quality
465 management plan adopted under the federal Clean Water Act, 33 USC
466 1251 et seq., any plans for managing forest resources adopted pursuant
467 to section 23-20 and the Connecticut River Atlantic Salmon Compact
468 adopted pursuant to section 26-302;

469 (5) "Member municipality" means a municipality which is a member
470 of a river commission established pursuant to section 25-232;

471 (6) "Person" means person, as defined in section 22a-2;

472 (7) "River advisory board" means any of the following: The Five
473 Mile River Commission established pursuant to section 15-26a, the
474 Connecticut River Gateway Commission established pursuant to
475 section 25-102e, the Connecticut River Assembly established pursuant
476 to section 25-102dd, the Bi-State Pawcatuck River Commission
477 established pursuant to section 25-161, the Niantic River Gateway
478 Commission established pursuant to section 25-109e, the Housatonic
479 Estuary Commission established pursuant to section 25-170, the
480 Farmington River Coordinating Committee established pursuant to the
481 National Wild and Scenic Rivers Act, 16 USC 1274 et seq., the Shepaug-

482 Bantam River Board established pursuant to sections 25-102pp and 25-
483 102qq or a river committee established pursuant to section 25-203;

484 (8) "River corridor" means any river, river segment or river system,
485 together with its floodplains, wetlands and uplands, contributing
486 overland runoff to such river, river segment or river system;

487 (9) "River commission" means a river commission established
488 pursuant to section 25-232;

489 (10) "River system" means a river, its tributaries and any lands
490 draining into such river or its tributaries;

491 (11) "Secretary" means the Secretary of the Office of Policy and
492 Management or his agent;

493 (12) "State rivers assessment database" means the state-wide
494 assessment of the state's rivers prepared by the commissioner pursuant
495 to subdivision (3) of subsection (d) of section 25-102qq;

496 (13) "State plan for conservation and development" means the state
497 plan for conservation and development prepared pursuant to part I of
498 chapter 297;

499 (14) "Subregional drainage basin" means a subregional drainage
500 basin as referenced on a map entitled "Natural Drainage Basins of
501 Connecticut", published by the Department of Environmental
502 Protection, 1981;

503 (15) "Water-dependent use" means a use which, by its nature or
504 function, requires direct access to, or location in or immediately
505 adjacent to, water and which therefore cannot be located upland, and
506 includes such recreational uses as riverside trails and bicycle paths;

507 (16) "Use" means agriculture, public and private water supply,
508 power generation, waste assimilation, transportation, recreation,
509 including, but not limited to, boating, swimming, fishing, camping and

510 hiking and residential, commercial, industrial and other water-
511 dependent uses; and

512 (17) "Resource" means any riparian waters of the state, related
513 fisheries and wildlife habitat and adjacent shorelands, both developed
514 and undeveloped; any vegetation, fish and wildlife; endangered and
515 threatened species, species of special concern and essential habitat
516 identified by the commissioner pursuant to chapter 495; tidal and
517 inland wetlands; unique geologic features; scenic areas; forest lands, as
518 defined in section 23-65f; agricultural lands, as defined in section 22-
519 26bb; and archaeological and other historical resources.

520 Sec. 7. Section 32-1o of the 2010 supplement to the general statutes is
521 repealed and the following is substituted in lieu thereof (*Effective*
522 *October 1, 2010*):

523 (a) On or before July 1, 2009, and every five years thereafter, the
524 Commissioner of Economic and Community Development, within
525 available appropriations, shall prepare an economic strategic plan for
526 the state in consultation with the Secretary of the Office of Policy and
527 Management, the Commissioners of Environmental Protection and
528 Transportation, the Labor Commissioner, the executive directors of the
529 Connecticut Housing Finance Authority, the Connecticut Development
530 Authority, the Connecticut Innovations, Inc., the Commission on
531 Culture and Tourism and the Connecticut Health and Educational
532 Facilities Authority, and the president of the Office of Workforce
533 Competitiveness, or their respective designees, and any other agencies
534 the Commissioner of Economic and Community Development deems
535 appropriate.

536 (b) In developing the plan, the Commissioner of Economic and
537 Community Development shall:

538 (1) Ensure that the plan is consistent with (A) the text and locational
539 guide map of the state plan of conservation and development, adopted
540 pursuant to chapter 297, (B) the [long-range state housing plan,

541 adopted] state's consolidated plan for housing and community
542 development prepared pursuant to section 8-37t, as amended by this
543 act, and (C) the transportation strategy adopted pursuant to section
544 13b-57g;

545 (2) Consult regional councils of governments, regional planning
546 organizations, regional economic development agencies, interested
547 state and local officials, entities involved in economic and community
548 development, stakeholders and business, economic, labor, community
549 and housing organizations;

550 (3) Consider (A) regional economic, community and housing
551 development plans, and (B) applicable state and local workforce
552 investment strategies;

553 (4) Assess and evaluate the economic development challenges and
554 opportunities of the state and against the economic development
555 competitiveness of other states and regions; and

556 (5) Host regional forums to provide for public involvement in the
557 planning process.

558 (c) The strategic plan required under this section shall include, but
559 not be limited to, the following:

560 (1) A review and evaluation of the economy of the state. Such
561 review and evaluation shall include, but not be limited to, a sectoral
562 analysis, housing market and housing affordability analysis, labor
563 market and labor quality analysis, demographic analysis and include
564 historic trend analysis and projections;

565 (2) A review and analysis of factors, issues and forces that impact or
566 impede economic development and responsible growth in Connecticut
567 and its constituent regions. Such factors, issues or forces shall include,
568 but not be limited to, transportation, including, but not limited to,
569 commuter transit, rail and barge freight, technology transfer,
570 brownfield remediation and development, health care delivery and

571 costs, early education, primary education, secondary and
572 postsecondary education systems and student performance, business
573 regulation, labor force quality and sustainability, social services costs
574 and delivery systems, affordable and workforce housing cost and
575 availability, land use policy, emergency preparedness, taxation,
576 availability of capital and energy costs and supply;

577 (3) Identification and analysis of economic clusters that are growing
578 or declining within the state;

579 (4) An analysis of targeted industry sectors in the state that (A)
580 identifies those industry sectors that are of current or future
581 importance to the growth of the state's economy and to its global
582 competitive position, (B) identifies what those industry sectors need
583 for continued growth, and (C) identifies, those industry sectors current
584 and potential impediments to growth;

585 (5) A review and evaluation of the economic development structure
586 in the state, including, but not limited to, (A) a review and analysis of
587 the past and current economic, community and housing development
588 structures, budgets and policies, efforts and responsibilities of its
589 constituent parts in Connecticut; and (B) an analysis of the
590 performance of the current economic, community and housing
591 development structure, and its individual constituent parts, in meeting
592 its statutory obligations, responsibilities and mandates and their
593 impact on economic development and responsible growth in
594 Connecticut;

595 (6) Establishment and articulation of a vision for Connecticut that
596 identifies where the state should be in five, ten, fifteen and twenty
597 years;

598 (7) Establishment of clear and measurable goals and objectives for
599 the state and regions, to meet the short and long-term goals established
600 under this section and provide clear steps and strategies to achieve
601 said goals and objectives, including, but not limited to, the following:

602 (A) The promotion of economic development and opportunity, (B) the
603 fostering of effective transportation access and choice including the use
604 of airports and ports for economic development, (C) enhancement and
605 protection of the environment, (D) maximization of the effective
606 development and use of the workforce consistent with applicable state
607 or local workforce investment strategy, (E) promotion of the use of
608 technology in economic development, including access to high-speed
609 telecommunications, and (F) the balance of resources through sound
610 management of physical development;

611 (8) Prioritization of goals and objectives established under this
612 section;

613 (9) Establishment of relevant measures that clearly identify and
614 quantify (A) whether a goal and objective is being met at the state,
615 regional, local and private sector level, and (B) cause and effect
616 relationships, and provides a clear and replicable measurement
617 methodology;

618 (10) Recommendations on how the state can best achieve goals
619 under the strategic plan and provide cost estimates for implementation
620 of the plan and the projected return on investment for those areas;

621 (11) A review and evaluation of the operation and efficacy of the
622 urban jobs program established pursuant to sections 32-9i to 32-9l,
623 inclusive, enterprise zones established pursuant to section 32-70,
624 railroad depot zones established pursuant to section 32-75a, qualified
625 manufacturing plants designated pursuant to section 32-75c,
626 entertainment districts established pursuant to section 32-76 and
627 enterprise corridor zones established pursuant to section 32-80. The
628 review and evaluation of enterprise zones shall include an analysis of
629 enterprise zones that have been expanded to include an area in a
630 contiguous municipality or in which there are base or plant closures;
631 and

632 (12) Any other responsible growth information that the

633 commissioner deems appropriate.

634 (d) On or before July 1, 2009, and every five years thereafter, the
635 Commissioner of Economic and Community Development shall
636 submit an economic development strategic plan for the state to the
637 Governor for approval. The Governor shall review and approve or
638 disapprove such plan not more than sixty days after submission. The
639 plan shall be effective upon approval by the Governor or sixty days
640 after the date of submission.

641 (e) Upon approval, the commissioner shall submit the economic
642 development strategic plan to the joint standing committees of the
643 General Assembly having cognizance of matters relating to commerce,
644 planning and development, appropriations and the budgets of state
645 agencies and finance, revenue and bonding. Not later than thirty days
646 after such submission, the commissioner shall post the plan on the web
647 site of the Department of Economic and Community Development.

648 (f) The commissioner from time to time, may revise and update the
649 strategic plan upon approval of the Governor. The commissioner shall
650 post any such revisions on the web site of the Department of Economic
651 and Community Development.

652 Sec. 8. Section 8-37u of the general statutes is repealed and the
653 following is substituted in lieu thereof (*Effective October 1, 2010*):

654 (a) The Commissioner of Economic and Community Development
655 shall work with regional planning agencies, regional councils of
656 elected officials, regional councils of governments, municipalities and
657 municipal agencies, housing authorities and other appropriate
658 agencies for the purpose of coordinating housing policy and housing
659 activities, provided such coordination shall not be construed to restrict
660 or diminish any power, right or authority granted to any municipality,
661 agency, instrumentality, commission or any administrative or
662 executive head thereof in accordance with the other provisions of the
663 general statutes to proceed with any programs, projects or activities.

664 (b) The Commissioner of Economic and Community Development
665 shall coordinate on an ongoing basis the activities and programs of
666 state agencies or quasi-state authorities which have a major impact on
667 the cost, production or availability of housing, provided, such
668 coordination shall not be construed to restrict or diminish any power,
669 right or authority granted to any such agency or authority, or of any
670 administrative or executive head thereof in accordance with the other
671 provisions of the general statutes, to proceed with any programs,
672 projects or activities, except as specifically provided in this section.

673 (c) In order to facilitate such coordination, the Connecticut Housing
674 Finance Authority shall submit annually to the Commissioner of
675 Economic and Community Development a projected twelve-month
676 operating plan. Said plan shall be prepared in a manner so as to be
677 consistent with the [five-year plan referred to in] state's consolidated
678 plan for housing and community development prepared pursuant to
679 section 8-37t, as amended by this act, as such plan is then in effect. Said
680 plan shall include such matters as the authority determines are
681 necessary and shall include, but not be limited to, production targets
682 under each multifamily program of the authority, including targets for
683 rental housing production for both elderly and nonelderly families in a
684 proportion consistent with housing needs estimated pursuant to
685 [section 8-37t] the state's consolidated plan for housing and
686 community development; proposed new and expanded programs;
687 proposed outreach activities to help serve areas of the state or
688 segments of the population whose housing needs have been
689 particularly underserved, and estimated level of subsidy needed to
690 support the proposed level of production. The first such plan shall be
691 submitted to the Commissioner of Economic and Community
692 Development prior to January 1, 1981, and subsequent plans on each
693 twelve-month anniversary thereof.

694 (d) In the event the commissioner determines that the Connecticut
695 Housing Finance Authority has not complied with the requirements of
696 subsection (c) of this section, he shall file a report with the Secretary of

697 the Office of Policy and Management setting forth the items of the plan
 698 which are inconsistent with the five-year plan and setting forth those
 699 recommendations which in his opinion would result in such plan
 700 being consistent with the five-year plan. In the event that the Secretary
 701 of the Office of Policy and Management concurs with the
 702 Commissioner of Economic and Community Development, he shall
 703 convene a panel of the Commissioner of Economic and Community
 704 Development, the chairman of the Connecticut Housing Finance
 705 Authority and the Secretary of the Office of Policy and Management,
 706 which panel shall resolve the inconsistencies. Nothing contained in
 707 this section shall limit the right or obligation of the Connecticut
 708 Housing Finance Authority to comply with the provisions of or
 709 covenants contained in any contract with or for the benefit of the
 710 holders of any bonds, notes or other obligations evidencing
 711 indebtedness of such authority.

712 (e) The Connecticut Housing Finance Authority shall, to the
 713 maximum extent practical, conduct its business according to the plan
 714 approved by the commissioner.

715 (f) The Commissioner of Economic and Community Development
 716 shall consult with the Commissioner of Agriculture with regard to the
 717 policies, activities, plans and programs specified in this section and the
 718 impact on and degree of protection provided to agricultural land by
 719 such policies, activities, plans and programs.

| | | |
|---|------------------------|-----------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>October 1, 2010</i> | 8-37t |
| Sec. 2 | <i>October 1, 2010</i> | 8-2(a) |
| Sec. 3 | <i>October 1, 2010</i> | 8-23 |
| Sec. 4 | <i>October 1, 2010</i> | 8-206(d) |
| Sec. 5 | <i>October 1, 2010</i> | 22a-1b(c) |
| Sec. 6 | <i>October 1, 2010</i> | 25-231 |
| Sec. 7 | <i>October 1, 2010</i> | 32-1o |
| Sec. 8 | <i>October 1, 2010</i> | 8-37u |

HSG *Joint Favorable Subst.*

PD *Joint Favorable*

CE *Joint Favorable*